

ENVIRONMENTAL PROTECTION COMMISSION  
REGULAR MEETING/PUBLIC HEARING  
MINUTES  
March 5, 2008

7:30 P.M.  
Room 206 Town Hall

Acting Chairman Flaherty called the meeting to order at 7:30 P.M. Commission Members Present: Craig Flaherty, Ellen Kirby, Alan Armstrong and Susan Cameron

Staff Present: Richard Jacobson

Court Reporter: Bonnie Syat

EPC-01-2008, Paul and Betsy Bigler, 63 Dorchester Road, proposing house additions, pool, driveway improvements, and related construction within an upland review area.

Jay Fain represented the applicant. He said they have made revisions to the plans as requested and described the changes.

Mr. Flaherty said the plan for the underdrain in the rain garden should match the detail view of 18". He asked how much of the house roof would be directed to the rain garden. Mr. Fain said approximately  $\frac{3}{4}$  of the rear of the house. Mr. Flaherty said he would like to see a long term maintenance plan for the natural areas. Mr. Jacobson said that language to that effect could be added to the notice on the land records.

Mr. Flaherty asked if there was a design for the gravel driveway. Mr. Fain said they would be could provide a detail with processed stone with filter fabric and pea stone in the upland review area. Ms. Cameron said she would like to have an as-built for the driveway confirming that it was constructed that way.

Ms. Cameron made a motion to approve the application with the stipulation of the driveway detail to be provided and an as-built. Mr. Flaherty seconded the motion and it passed unanimously.

Mr. Flaherty read the next agenda item:

EPC-77-2007, John Doherty and Ken Deleo, 7 Buttonwood Lane, proposing demolition of an existing house and new house construction within an upland review area.

The Commission discussed the draft approval.

Ms. Cameron said she though the applicant made improvements to the proposal by making the house smaller and incorporating a pervious patio design.

Mr. Flaherty said he would like to see a requirement to maintain the natural landscaping and add a stipulation that the edge of the lawn to be restored to wetland have a boulder demarcation as a condition.

Ms. Cameron made a motion to approve the application with the above condition. Mr. Flaherty seconded the motion and it passed unanimously.

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Mr. Flaherty opened discussion of the new business items and asked the Commission if there were items that should be scheduled for public hearing. It was the consensus that the following application would require a hearing because of potential significant impact:

EPC-08-2008, D&B Partners, 305 Middlesex Road, proposing demolition of an existing house, new house construction, related grading, and wetland mitigation within the regulated area and upland review area.

Jeff McDougal represented the applicant.

Mr. Flaherty asked the members if they would like additional information.

Ms. Cameron provided photos of the property during a storm. She said she would like the Commission to hire an independent engineer to review the application.

The Commission scheduled a public hearing for April 2, 2008.

Mr. Flaherty read the next agenda item:

EPC-05-2008, Town of Darien, Tilley Pond Park, Lakeside Avenue, proposing electrical conduit for park light fixtures within the upland review area.

Sue Swiatek, Director of Parks and Recreation represented the applicant. She described the project as the completion of the lights started in 1972 and continued in 1987 and 1996.

Ms. Cameron made a motion to approve the application. Mr. Armstrong seconded the application and it passed unanimously.

Mr. Flaherty read the next agenda item:

EPC-06-2008, Kevin Kovtun, 12 Silver Lakes Drive, proposing a brick patio and landscaping within the upland review area.

No one was present for the applicant. The Commission requested more detail on the patio construction and whether fill would be required. The item was continued to a future meeting.

Mr. Flaherty read the next agenda item:

EPC-07-2008, Karen and Thomas Bow, 499 Hoyt Street, proposing a stone wall and temporary construction access within the upland review area.

Mr. Bow represented himself. He said they are proposing a small addition to the house and they would like to extend an existing stone wall. The new addition will be 50.4 feet from the wetland.

Ms. Cameron made a motion to approve the application. Mr. Armstrong seconded the motion and it passed unanimously.

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Mr. Flaherty read the next agenda item:

EPC-09-2008, Land Trust of Darien, Valley Forge Road, proposing pond dredging and dam repair.

Richard Windels and Shirley Nichols represented the applicant. Mr. Windels said the Land Trust acquired the property last year. There is a small stream on the property feeding the pond. He said they are proposing to remove the sediment from the pond and channel and repair the spillway and install weir boards.

Mr. Flaherty said the stream is the Stony Brook. He said the removal of the sediment is ok but he is concerned with the dam and the tributary watershed.

Mr. Windels requested permission to temporarily flood the area to control invasive species.

The Commission discussed the request to use the dredged material on-site. Mr. Flaherty said he would not like to see the grade change by more than six inches.

The Commission continued the matter to March 19 to allow the members time to visit the site.

Mr. Flaherty read the next agenda item:

EPC-10-2008, Gloria Gouveia, 25 Brookside Road, proposing a revision to an approved two lot subdivision to construct one new house within the upland review area.

Gloria Gouveia represented the applicant.

Mr. Flaherty said the Commission would schedule a public hearing because of the potential for significant impacts on the regulated area and because it would be in the public interest.

Ms. Gouveia said the new plan was for a modular home and described the differences in the plan from the approved plan.

Mr. Flaherty said is difficult to read and he would like to have a plan with clearer contours. He said he was concerned that the new home is 14 feet closer to the river and there may be a reduction in the floodplain volume.

The application was scheduled for public hearing on April 2, 2008.

Mr. Flaherty read the next agenda item:

EPC-03-2008, James Goulard, Trustee for the Estate of Marion Reed Goulard, 18 Overbrook Lane, proposing a two lot subdivision and related construction activities within an upland review area.

Attorney Jackie Olschan represented the applicant.

At the applicant's request, the public hearing was continued to March 19. Ms. Cameron asked that the trees to be removed from the site be flagged in the field.

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Mr. Flaherty read the next agenda item:

Discussion and possible action regarding the Flood Mitigation Strategy

Mr. Flaherty said the strategy will provide encouragement to get on with the process.

Laura Giobbi said she would like to see the process move forward and she would like to see the flood studies moved up on the schedule.

Chris Rowland said the various Town committees are disjointed and he is concerned about over development.

Barry Grandon said he is frustrated with large homes being built near watercourses. He said he would like to see more enforcement.

Elizabeth Howe said there was no mention of Lynn court being fixed.

Cheryl Russell suggested a joint meeting with Stamford.

Mr. Flaherty made a motion to adopt the strategy. Ms. Cameron seconded the motion and it passed unanimously.

Mr. Flaherty read the next agenda item:

Update on proposed changes to fee schedule

Mr. Jacobson informed the Commission of the proposed new wetland permit application fees.

Planning and Zoning Referrals:

The Commission discussed briefly the P&Z referrals Ms. Cameron and Ms. Kirby will review the referrals for Conservation concerns

Coastal Site Plan Review #228, Flood Damage Prevention #256, Land Filling and Re-grading #201  
Real & Tara LeClerc, 16 Cross Road

Coastal Site Plan Review #218-A, Flood Damage Prevention Application #255, Robert Minicucci,  
159 Long Neck Point Road

Coastal Site Plan Review #60-A(2), Flood Damage Prevention Application #48-A(2), Edwin & Erin  
Conway, 6 Cross Road.

Minutes of previous meetings:

Mr. Flaherty made a motion to approve the minutes of January 9, 2008. Ms. Cameron seconded the motion and it passed unanimously.

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Mr. Flaherty made a motion to approve the minutes of February 6, 2008. Ms. Cameron seconded the motion and it passed unanimously.

Ms. Cameron made a motion to approve the minutes of February 11. Mr. Armstrong seconded the motion and it passed 3-0. Mr. Flaherty abstained.

Ms. Cameron made a motion to adjourn. Mr. Armstrong seconded the motion and it passed unanimously. The meeting was adjourned at 10:25 p.m.

Respectfully submitted,

Richard B. Jacobson  
Environmental Protection Officer